

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 18, 2005

DIVISION ONE

B177790 Bruce Laserson, a Personnel Representative, etc. (Not for Publication)
 v.
 Louis De Witt et al.

The order of dismissal is affirmed. DeWitt is awarded costs on appeal.

Rothschild, J.

We concur: Spencer, P.J.
 Mallano, J.

DIVISION THREE

B176354 People (Certified for Partial Publication)
 v.
 Rodriguez

The judgment is modified to reflect that, as to each of counts 1,3,5, and 7, appellant was convicted of violation of Insurance Code section 556, subdivision (a)(1). As so modified, the judgment is affirmed. The trial court is directed to forward to the Department of Corrections an amended abstract of judgment reflecting the above modification.

Kitching, J.

We concur: Klein, P.J.
 Croskey, J.

DIVISION THREE (Continued)

B175450 Syngenta Crop Protection, Inc.
 v.
 Paul E. Helliker, as Director, etc.

Filed order vacating submission order of September 13, 2005. Each party may file supplemental brief by November 8, 2005, addressing the significance of the recent amendments to Food and Agricultural Code section 12811.5(Stats. 2005, ch. 612, sec. 6).. Cause will be resubmitted on November 8, 2005.

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Epstein, P.J., Hastings, J., Curry, J., Willhite, J. and S. Veverka, Deputy Clerk.

Each of the following:

B177713 People v. Mena
B181338 DCFS v. Courtney H., et al.
B178028 Countrywide Home Loans, Inc. v. United Radiant Tech. America Corp.

Argument waived, cause submitted.

B175880 People
 v.
 Johnson et al.

Merits:

Argued by William L. Heyman for appellant Johnson and by Joanna McKim for appellant Singleton and by Tasha G. Ideguchi for respondent.
Cause submitted.

DIVISION FOUR (Continued)

B174308 People
 v.
 Molina

Merits:

Argued by Barbara Springer Perry for appellant and by Robert S. Henry for respondent. Cause submitted.

B181270 Ghodsi
 v.
 Garoosi, et al.

Merits:

Argued by Robert W. Barnes for appellant. Respondents waived oral argument. Cause submitted.

B183525 Long Beach Unified School District
 v.
 Superior Court, Los Angeles County
 (Rhodes, r.p.i.)

Merits:

Argued by Allen L. Thomas for petitioner and by Marc D. Allmeroth for real party in interest. Cause submitted.

B177443 People
 v.
 Roman

Merits:

Argued by James Koester for appellant and by Ellen Birnbaum Kehr for respondent. Cause submitted.

DIVISION FOUR (Continued)

B178864 Mulder
 v.
 Pilot Air Freight et al.

Merits:
Argued by Sydnee R. Singer for appellants and by Robert Ezra for
respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30 P.M.

Present: Epstein, P.J., Hastings, J., Curry, J. and S. Veverka, Deputy Clerk.

Each of the following:

B179633 People v. Elam
B177046 People v. Pearson
B177829 People v. Menefee
B176739 People v. Maldonado et al.
B174081 Beck v. Farazmand

Argument waived, cause submitted.

B182262 DCFS
 v.
 Charlin H. C.

Argument waived, submission deferred. Notice sent to all parties
requesting letters by November 10, 2005. Matter to be submitted on
November 10, 2005.

DIVISION FOUR (Continued)

B177553 Rauvola
 v.
 Rauvola

Merits:
Argued by Shannon Thomas for appellant. Respondent waived oral argument. Cause submitted.

B177122 Chezek
 v.
 Aramark Uniform & Career Apparel, Inc.

Merits:
Argued by Paul J. Coady for appellant and by Richard A. Love for respondent. Cause submitted.

B174260 Jerry's Shell, et al.
 v.
 Equilon Enterprises et al.

Merits:
Argued by Nikki Fong for appellants and by Richard R. Mainland for respondents. Cause submitted.

B174261 Hansen, et al.
 v.
 Equilon Enterprises, et al.

Merits:
Argued by Nikki Fong for appellants and by Richard R. Mainland for respondents. Cause submitted.

Court adjourned.

DIVISION FOUR (Continued)

B181881 Shappell Industries, Inc.
v.
SCLA
Borecki et al.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION FIVE

B182203 In re: Nathaniel B. (Not for Publication)
v.
Los Angeles County, D.C.S.
Samantha N.

The judgment is affirmed.

Mosk, J.

We concur: Armstrong, Acting P.J.
 Kriegler, J.

B180032 People (Not for Publication)
v.
Alfredo Beltran Garcia

The judgment is affirmed.

Turner, P.J.

We concur: Mosk, J.
Kriegler, J.

DIVISION FIVE (Continued)

B178158 Charles Veal, Jr. (Not for Publication)
 v.
 Diana McCaul

The judgment is affirmed. Respondent(s) to recover costs.

Turner, P.J.

We concur: Mosk, J.
 Kriegler, J.

DIVISION SIX

B177617 People (Not for Publication)
 v.
 Barfield

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
 Perren, J.

DIVISION SEVEN

B181064 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Nancy R. et al.,

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
 Woods, J.

DIVISION SEVEN (Continued)

B181086 Los Angeles County, D.C.S. (Not for Publication)
v.
Dana H.

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
 Woods, J.

B178077 Paul (Not for Publication)
v.
Clinton et al.,

The order granting Rosen's motion to strike is affirmed. Rosen to recover his costs on appeal. The order denying the motion of Senator and the Committee to strike is reversed and remanded with directions to the court to rule on whether it will permit the late filing of the motion to strike and the proceed in accordance with the views expressed herein. Senator Clinton and the Committee to recover their costs on appeal.

Woods, J.

We concur: Perluss, P.J.
 Johnson, J.

B179852 People (Not for Publication)
v.
Pons

Upon remand, the superior court shall cause its clerk to prepare an amended abstract of judgment consistent with this opinion. In all other respects, the judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
 Woods, J.

DIVISION SEVEN (Continued)

B171476 People (Not for Publication)
v.
Velasquez

The judgment is modified to strike the firearm enhancements imposed on counts 5, 10 and 12. As modified, the judgment is affirmed. The superior court is directed to prepare a corrected abstract of judgment deleting the firearm enhancements imposed under section 12021.5, subdivision (a), on counts 5, 10 and 12 and reflecting the stay of sentence on counts 4 and 7 and to forward the corrected abstract of judgment to the Department of Corrections.

Perluss, P.J.

We concur: Johnson, J.
 Woods, J.

B178331 Gallien (Not for Publication)
v.
Olson
Lane

The appeal is dismissed. Respondent is awarded costs of appeal.

Woods, J.

We concur: Johnson, Acting P.J.
 Zelon, J.

B173444 Red Coat Capital Management LLC (Not for Publication)
v.
CIBC World Markets Corp.

The judgment is affirmed. Respondent(s) to recover costs.

Woods, J.

We concur: Perluss, P.J.
Johnson, J.

DIVISION EIGHT

10-18-05
990417-05

The HONORABLE **JOAN DEMSEY KLEIN**, Presiding Justice of the Court of Appeal, Second Appellate District, Division Three, is hereby assigned to assist the Court of Appeal, Second Appellate District, **Division Eight**, as a justice thereof, on the following dates:

November 29, 2005

and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Court of Appeal justice, all petitions for rehearing arising out of such causes and matters.

This assignment does not extend to any matter in which the panel would be composed of two justices pro tempore.
Dated: October 12, 2005

Ronald M. George
Chief Justice of California and
Chairperson of the Judicial Council

B179911 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Eleanor L.

The order terminating mother's parental rights to Sergio is affirmed.

Rubin, J.

We concur: Cooper, P.J.
 Boland, J.

B174094 Jitner
 v.
 Amiri

Filed order denying petition for rehearing.

DIVISION EIGHT (Continued)

B182219 Lisa I., (Certified for Publication)

V.
Superior Court, Los Angeles County
(Phillip V., r.p.i.)

The petition is granted. The trial court is ordered to (1) vacate its order of March 22, 2005, denying Lisa's motion to quash Phillip's paternity action and granting genetic testing, and instead (2) issue a new order granting the motions to quash and for testing, and dismissing Phillip's action. Petitioner shall recover her costs.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.

B178280 Kardelih Lazar (Not for Publication)

V.
General Motors Corporation

The judgment is affirmed. GM shall recover its costs on appeal.

Rubin, Acting P.J.

We concur: Boland, J.
Flier, J.

B172591 People (Not for Publication)

v.
Latisha S., a Person coming Under the Juvenile Court Law

The matter is remanded to the juvenile court for calculation of the minor's redisposition credits. In all other respects, the order appealed from is affirmed.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.

DIVISION EIGHT (Continued)

B173987 The Foundation For Taxpayer & Consumer Rights et al.,
 v.
 John Garamendi
 State of California

Filed order denying petition for rehearing.